IN THE HIGH COURT OF JUDICATURE FOR
RAJASTHAN
AT JAIPUR BENCH, JAIPUR.

O R D E R

Jai Singh Kasana
Versus
State and ors.

S.B. CIVIL WRIT PETITION NO.6820/2007

Date of Order : 20/9/2007.

PRESENT
HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Shri Sunil Kumar Singodiya for the petitioner.
Shri B.K. Sharma, Deputy GA for the State.

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Heard learned counsel for the parties.

The petitioner has challenged the order dated 17/3/2007 (Annexure-7) whereby the allotment of Fair Price Shop has been made earlier in favour of the petitioner has been cancelled.

It was argued that the impugned-order therefore, being illegal is liable to be set-aside.

On hearing learned counsel for the petitioner and perusing the impugned-order, I find that there is a provision of revision under the provisions of Clause 22A of the Rajasthan Foodgrains & Other Essential Articles (Regulation of Distribution) Order, 1976 to the Food Commissioner. In the face of alternative remedy of revision, I do

not find any extraordinary reason to entertain this writ petition.

If the petitioner is aggrieved by the cancellation of allotment order, appropriate remedy for him to challenge the same and to file revision petition before Food Commissioner under Clause 22A of the Rajasthan Foodgrains & Other Essential Articles (Regulation of Distribution) Order, 1976. If the revision petition is filed, the concerned authority shall decide the same after hearing petitioner in accordance with law as early as possible but not later than three months from the date of filing of the same. However, it is directed that the fair price shop in question shall not be allotted to any other person for a period of three months.

With this observation, the writ petition is dispsoed of.

(MOHAMMAD RAFIQ), J.

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